

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CRM-M No. 33947 of 2018 (O&M)

Date of decision : 28.03.2019

Paramjit Singh

.....Petitioner

Versus

State of Punjab

...Respondent

CORAM : HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present : Mr. Bhupinder Ghai, Advocate for the petitioner.

Ms. Ruchika Sabharwal, AAG, Punjab.

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DAYA CHAUDHARY, J. (Oral)

CRM No.41879 of 2018

This application is for placing on record Annexures P-3 to P-5.

Application is allowed and Annexures P-3 to P-5 annexed with
the application are taken on record.

CRM-M No. 33947 of 2018

Petitioner Paramjit Singh has filed the present petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to him in case FIR No.43 dated 31.03.2018 under Sections 420, 467, 468, 471 of the Indian Penal Code, 1860, registered at Police Station – Dasuya, Distt. Hoshiarpur, during pendency of the trial.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the case with *mala fide* intention, whereas no recovery was effected from him. He was having no connection with the activity of the travel agent as he was only an employee with the company. The offence

is triable by Magistrate. There is no other case of similar nature against the petitioner. Out of total 73 prosecution witnesses, 6 material witnesses have been examined and 2 witnesses have been given up. Petitioner is in custody since 01.04.2018. Trial may take some time to conclude and no purpose would be served by keeping the petitioner in custody.

Learned State counsel has not disputed the custody period as well as stage of the trial and also recording of statement of material prosecution witnesses, but has opposed the bail on the ground that 61 fake passports and 50 fake visas were recovered from the petitioner.

Heard arguments of learned counsel for the parties and have also gone through the contents of the FIR and other documents available on record.

Without commenting anything on the merits of the case and keeping in view the custody period which is approximately one year and also the fact that the offence is triable by Magistrate; there are total 73 prosecution witnesses, out of which 6 material witnesses have been examined and 2 witnesses have been given up and still the trial may take some time to conclude; there is no other case of similar nature against him, no purpose would be served by keeping the petitioner in custody. Accordingly, the present petition is allowed and the petitioner is directed to be released on regular bail on furnishing adequate bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate.

28.03.2019

sunil yadav

**(DAYA CHAUDHARY)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No